

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

**PETRO INDUSTRIAL SOLUTIONS, LLC  
(PETRO),**

**PLAINTIFF,**

**V.**

**ISLAND PROJECT AND OPERATING  
SERVICES, LLC (IPOS), ET AL.,**

**DEFENDANTS.**

**CASE NO. 1:21-CV-00312**

**MOTION TO STRIKE PLAINTIFF'S RESPONSE TO DEFENDANTS'  
STATEMENT OF UNCONTESTED MATERIAL FACTS AND TO DEEM  
THE FACTS IN THE STATEMENT OF UNCONTESTED MATERIAL FACTS UNCONTESTED**

Andrew Canning and OPTIS Europe, Ltd., move to strike Plaintiff's Response (Doc. No. 305) to Defendants' Statement of Uncontested Material Facts (Doc. No. 299) because the Response fails to comply with Rule 56.1(b). Defendants submit that in accordance with LRCi 56.1(d), the 53 facts in the Statement of Uncontested Material Facts should thereafter be deemed uncontested for purposes of summary judgment.

Respectfully submitted,

**ANDREW C. SIMPSON, P.C.,**  
Counsel for Andrew Canning

Dated: May 15, 2024

/s/ Andrew C. Simpson  
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